

ORDINANCE NO. 2008-07-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE REAL ESTATE,
FROM AW TO RE.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF TIPPECANOE, INDIANA:**

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code, is hereby amended to rezone the following described real estate situated in Shelby Township, Tippecanoe County, Indiana, to wit:

A part of the East half of the Northeast quarter of Section 26 and the West Half of the Northwest quarter of Section 25, and the Southeast quarter of Section 23, Township 23 North, Range 6 West, in Shelby Township, Tippecanoe County, Indiana, being part of the Ronald L. Kerber property as described in Document Number 9409620 Recorded May 12, 1994, in the office of the Tippecanoe County Recorder, as depicted on a Plat of Survey by Vester and Associates, Job No. 04024, Recorded as Document No. 05024635, dated October 10, 2005, being more completely described as follows, to-wit:

Beginning at a Berntsen A1NB monument at the Northwest corner of said Northwest Quarter of Section 25, thence along the north line of quarter, North 88°49'50" East 408.14 feet to a 2" mag nail with a stainless steel washer stamped "Vester & Assoc LS Firm 0004" (herein after referred to as "Vester Mag Nail"), on the centerline of Division Road at the northeasterly corner of River Wood Minor Subdivision Phase Two; thence along said centerline, South 66°53'48" West 276.25 feet to the point of curvature of a curve to the right, (said curve having a radius of 340.00 feet and a chord bearing of South 78°47'53" West 140.24 feet); thence along said curve an arc distance of 141.25 feet to a Vester Mag Nail at the Northwest corner of River Wood Minor Subdivision Phase Two; thence along the West line thereof, South 13°31'56" West 511.93 feet to a ¾" rebar with punched aluminum cap stamped "Vester & Assoc. Inc. LS Firm 0004" (herein after referred to as Vester Capped Rebar); thence along the southerly line of an Easement for Ingress, Egress, Drainage and Utility, as depicted on said Plat, North 75°00'00" West 11.29 feet to a curve to the left (said curve having a radius of 250.00 feet and a chord bearing of South 82°37'43" West 190.30 feet); thence along said curve an arc distance of 195.23 feet; thence continue along said easement, South 60°15'26" West 617.77 feet to the point of curvature of a curve to the right (said curve having a radius of 100.00 feet, and a chord bearing of South 84°00'32" West 80.55 feet); thence along said curve an arc distance of 82.91 feet; thence South 28°24'20" West 243.37 feet; thence South 00°28'29" West 247.10 feet; thence South 28°52'07" West 290.12 feet; thence South 47°57'46" East 139.04 feet; thence South 89°49'43" West 274.53 feet to a point on the west line of said Kerber property; thence along said West line the following 6 courses; (1) North 28°54'35" West 474.74 feet; (2) North 89°49'43" East 293.75 feet; (3) North 00°28'29" East 1131.76 feet, (4) South 81°42'04" West 46.50 feet, (5) North 01°25'36" West 184.05, (6) North 03°52'16" East 235.97 feet to a point in the centerline of Division Road, said point being the Northwest corner of said Kerber Property; thence along said centerline South 89°41'03" East 63.83 feet; thence leaving said centerline, South 00°18'57" West 84.78 to the point of curvature of a to the right (said curve having a radius of 126.00 feet and a chord bearing of South 07°40'32" West 32.28 feet); thence along said curve an arc distance of 32.37 feet; thence South 15°02'07" West 69.32 feet to the point of curvature of a curve to the left (said curve having a radius of 74.00 feet and a chord bearing of South 09°27'12" West 14.40 feet); thence along said curve an arc distance of 14.42 feet; thence South 03°52'16" West 34.94 feet to the point of curvature of a curve to the left (said curve having a radius of 74.00 feet

and a chord bearing of South 01°13'20" East 6.84 feet); thence along said curve an arc distance of 6.84 feet; thence North 88°34'24" East 52.44 feet; thence South 80°07'30" East 112.93 feet; thence South 43°17'13" East 83.96 feet; thence North 38°12'38" East 69.59 feet; thence North 73°43'04" East 115.89 feet; thence North 04°27'05" East 211.69 feet to a point on the centerline of Division road; thence along said centerline the following 3 courses; (1) South 85°32'55" East 159.56 feet to the point of curvature of a curve to the right (said curve having a radius of 900.00 feet and a chord bearing of South 71°35'30" East 434.14 feet), (2) thence along said curve an arc distance of 438.47 feet, (3) South 57°38'06" East 35.32 feet to a point on the North line of said Northeast Quarter of Section 26; thence along said North line, South 89°47'34" East 280.64 feet to the point of beginning, containing 31.66 acres more or less.

Section 2. The real estate described above should be and the same is hereby rezoned from AW to RE.

Section 3. This ordinance shall be in full force and effect from and after its passage.

(Adopted and passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this 3rd day of March, 2008.

VOTE:

yes
yes
yes

K.D. Benson
K.D. Benson, President

John L. Knochel
John L. Knochel, Vice President

Ruth E. Shedd
Ruth Shedd, Member

Attest: Jennifer Weston
Jennifer Weston, Auditor